

ForumIAS

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Prelims Marathon

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HISTORY
ECONOMICS
POLITY
SCIENCE AND TECHNOLOGY
GEOGRAPHY AND ENVIRONMENT

FORUMIAS



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President and Governor

1. With reference to the Ordinance-making power of the President, consider the following statements:

1. An Ordinance possesses the same force and effect as an Act of Parliament and can be used to amend or repeal any existing Central Act.
2. Under Article 12, an Ordinance is defined as law, meaning it cannot abridge or take away Fundamental Rights guaranteed in Part III of the Constitution.
3. The President can exercise the power to promulgate an Ordinance even when one House of Parliament is in session.

Which of the statements given above are correct?

- (a) 1 and 2 only
- (b) 2 and 3 only
- (c) 1 and 3 only
- (d) 1, 2 and 3

Correct Answer: (c)

- **Statement 1 is Correct:** Article 123(2) states an Ordinance has the same force as an Act. It can amend/repeal any regular Act of Parliament but **cannot** amend the Constitution (Art 368).
- **Statement 2 is Incorrect:** Article 13(3)(a) explicitly includes Ordinance in the definition of law. Therefore, an Ordinance is subject to judicial review and cannot violate Fundamental Rights (unless such rights are suspended during a National Emergency).
- **Statement 3 is Correct:** An Ordinance can be issued when either of the two Houses is not in session. A law cannot be passed by only one House; hence, the legislative machinery is considered stalled, allowing for an Ordinance.

2. Consider the following statements:

1. The Constitution of India explicitly mentions that in certain spheres the Governor of a State acts in his/her own discretion.
2. The President of India can, of his/her own, reserve a bill passed by a State Legislature for his/her consideration without it being forwarded by the Governor of the State concerned.

Which of the statements given above is/are correct?

- (a) 1 only
- (b) 2 only
- (c) Both 1 and 2
- (d) Neither 1 nor 2

Correct Answer: (a)

Explanation:

- **Statement 1: Correct:** The Constitution explicitly provides that the Governor acts in his/her discretion in certain matters, such as reservation of a Bill for the consideration of the President, recommendation for President's Rule etc.
- **Statement 2: Incorrect:** The President cannot suo motu reserve a Bill passed by a State Legislature for consideration. The Governor has the discretion to do so under Article 200, and only after the Governor reserves it, does the President consider it.

3. With reference to the Indian polity, consider the following statements:

1. The Governor of a State is answerable to court for the exercise and performance of the powers and duties of his/her office but in certain matters.

2. No criminal proceedings shall be instituted or continued against the Governor during his/her term of office.
3. Members of a State Legislature are not liable to any proceedings in any court in respect of anything said within the House.

Which of the statements given above are correct?

- (a) 1 and 2 only
- (b) 2 and 3 only
- (c) 1 and 3 only
- (d) 1, 2 and 3

Correct Answer: (b)

Explanation:

- **Statement 1: Incorrect:** As per Article 361(1), the Governor is not answerable to any court for acts done in the exercise of official powers and duties.
- **Statement 2: Correct:** Under Article 361(2), no criminal proceedings can be instituted or continued against a Governor during their term of office.
- **Statement 3: Correct:** Article 194(2) grants members of a State Legislature freedom of speech and immunity from court proceedings for anything said or any vote given in the House.

4. Consider the following statements:

1. The Governor of the State only recognizes but cannot declares any community of that State as a Scheduled Tribe.
2. A community declared as a Scheduled Tribe in a State need not be so in another State.

Which of the statements given above is/are correct?

- (a) 1 only
- (b) 2 only
- (c) Both 1 and 2
- (d) Neither 1 nor 2

Correct Answer: (b)

Explanation:

- Article 342 (1) states that "The President may with respect to any State or Union territory, and where it is a State, after consultation with the Governor thereof, by public notification, specify the tribes or tribal communities or parts of or groups within tribes or tribal communities which shall for the purposes of this Constitution be deemed to be Scheduled Tribes in relation to that State or Union territory, as the case may be. Thus, it is the President and not the Governor who declares any community of that State as a Scheduled Tribe.
- Further, President can also specify parts of or groups within tribes or tribal communities which shall be included in Scheduled Tribes, making second statement correct.

5. Consider the following statements:

1. If the election of the President of India is declared void by the Supreme Court of India, all acts done by him/her in the performance of duties of his/her office of President before the date of decision become invalid.
2. Election for the post of the President of India can be postponed on the ground that some Legislative Assemblies have been dissolved and election are yet to take place.
3. When a Bill is presented to the President of India, the Constitution prescribes time limits within which he/she has to declare his/her assent.

How many of the above statements are correct?

- a) only one
- b) only two
- c) All three
- d) None

Correct Answer: (d)

Statement 1: Incorrect: Article 71(2) of the Indian Constitution protects the actions of the President. As long as the President acted in good faith (meaning they believed they were rightfully elected and acting within their powers), their official actions before the election was declared void remain valid. This ensures continuity and stability in governance.

Statement 2: Incorrect: The Indian Constitution prioritizes continuity in the office of the President. The Presidential election is an independent process and takes place regardless of the status of Legislative Assemblies, even if they are dissolved.

Statement 3: Incorrect: There's no specific time limit mentioned in the Constitution for the President to approve (assent) a bill. However, conventions are followed. These conventions include:

- The President can sign the bill into law (assent).
- The President can return the bill to Parliament for reconsideration (veto).
- The President can withhold their assent (pocket veto) by neither signing nor returning the bill within a reasonable timeframe. This effectively kills the bill without a formal veto.

6. Which one of the following suggested that the Governor should be an eminent person from outside the State and should be a detached figure without intense political links or should not have taken part in politics in the recent past?

- a) First Administrative Reforms Commission (1966)
- b) Rajamannar Committee (1969)
- c) Sarkaria Commission (1983)
- d) National Commission to Review the Working of the Constitution (2000)

Correct Answer: (c)

- The Sarkaria Commission recommended a series of reforms to ensure the Governor's neutrality and effectiveness. These included: the Governor should be an **eminent person** with a distinguished career outside of active politics. This could include individuals from fields like academics, judiciary, administration, or social work. The Governor should ideally be from outside the state they are appointed to. This helps to maintain impartiality and avoid local political influence.
- Detachment from politics: The Governor should not have recent or active political affiliations. This ensures they approach their role with objectivity and avoid partisan politics.
- Rajamannar Committee (1969): It was formed by the Tamil Nadu government under the leadership of Chief Minister M. Karunanidhi. The primary objective was to examine and recommend measures for the improvement of Centre-State relations in India.
- National Commission to Review the Working of the Constitution (2000): This commission, established much later, might have reviewed aspects of Centre-State relations, but the Sarkaria Commission's recommendations in 1983 were the landmark ones regarding Governor selection.

7. With reference to the election of the President of India, consider the following statements:

1. The value of the vote of each MLA varies from State to State.
2. The value of the vote of MPs of the Lok Sabha is equal to the value of the vote of MPs of the Rajya Sabha.

Which of the statements given above is/are correct?

- a) 1 only

- b) 2 only
- c) Both 1 and 2
- d) Neither 1 and 2

Correct Answer: (c)

Explanation:

Statement 1 correct: The value of the vote of each Member of the Legislative Assembly (MLA) varies from state to state in the election of the President of India. It is determined based on the population of the state represented by the MLA.

Statement 2 correct: In the election of the President of India, the value of the vote of each Member of Parliament (MP) is the same, whether they are from the Lok Sabha or the Rajya Sabha. The value of their votes is determined based on the total value of votes assigned to all elected MPs, which is distributed among them equally.

8. Consider the following statements:

1. No criminal proceeding shall be instituted against the Governor of a state in any court during his terms of office.
2. The emoluments and allowances of the Governor of a state shall not be diminished during his terms of office.
3. Civil proceedings regarding personal acts are permitted only after a one-month written notice, while no legal action can be taken for official acts.

Which of the statements given above are correct?

- (a) 1 and 2 only
- (b) 2 and 3 only
- (c) 1 and 3 only
- (d) 1, 2 and 3

Correct Answer: (a)

Explanation:

- **Statement 1: Correct:** Article 361, it grants the Governor immunity from criminal prosecution while they are in office. This means no new criminal case can be filed against the Governor during their term. Any ongoing criminal proceedings against the Governor will be put on hold until he/she leaves the office. Once the Governor leaves office, they can be prosecuted for criminal acts committed during their tenure.
- **Statement 2: Correct:** This statement is based on Article 158(4) of the Constitution. It guarantees that the Governor's salary and allowances cannot be reduced during his/her term. This financial security serves to secure independence and dignity of the post.
- **Statement 3: Incorrect:** Civil lawsuits for personal actions are allowed but require a 2-month prior written notice.

9. Which of the following are the discretionary powers given to the Governor of a State?

1. Sending a report to the President of India for imposing the President's rule
2. Appointing the Ministers
3. Reserving certain bills passed by the State Legislature for consideration of the President of India
4. Making the rules to conduct the business of the State Government

Select the correct answer using the code given below:

- a) 1 and 2 only
- b) 1 and 3 only

- c) 2, 3 and 4 only
- d) 1, 2, 3 and 4

Correct Answer: (b)

Explanation:

Governor is vested with two types of discretionary powers under the Constitution: **Constitutional Discretion** (explicitly mentioned in the Constitution) and **Situational Discretion** (emerging from political circumstances).

- **Statement 1 is Correct (Constitutional Discretion):** Under **Article 356**, the Governor sends a report to the President recommending the imposition of President's Rule if he is satisfied that the government of the state cannot be carried on in accordance with the provisions of the Constitution. He performs this function based on his own judgment, not on the advice of the Council of Ministers (CoM).
- **Statement 2 is Incorrect (Executive Power):** Under **Article 164**, the Governor appoints the Chief Minister, and other Ministers are appointed by him **only on the advice of the Chief Minister**. While he has "situational discretion" to appoint a CM in a hung assembly, the general act of "appointing ministers" is an executive function performed on aid and advice.
- **Statement 3 is Correct (Constitutional Discretion):** Under **Article 200**, the Governor can reserve a bill for the consideration of the President. This is a discretionary power. In fact, if a bill passed by the state legislature endangers the position of the State High Court, the Governor **must** reserve it for the President.
- **Statement 4 is Incorrect (Executive Power):** Under **Article 166(3)**, the Governor makes rules for the more convenient transaction of the business of the government of the state. This is a formal executive power exercised on the advice of the Council of Ministers, not a discretionary one.

10. Which one of the following statements is correct?

- a) In India, the same person cannot be appointed as governor for two or more states at the same time
- b) The judges of the high court of the states in India are appointed by the Governor of the state just as the judges of the Supreme Court are appointed by the president
- c) No procedure has been laid down in the constitution of India for the removal of a governor from his/her post
- d) In the case of a union territory having a legislative setup, the chief minister is appointed by the Lt. Governor on the basis of majority support

Correct Answer: (c)

Explanation:

- **Statement (a) is Incorrect:** The 7th Constitutional Amendment Act (1956) facilitated the appointment of the same person as Governor for two or more states.
- **Statement (b) is Incorrect:** Judges of a High Court are appointed by the President (Article 217), not the Governor. The Governor is only consulted by the President during the process.
- **Statement (c) is Correct:** Under Article 156, the Governor holds office during the pleasure of the President. The Constitution does not lay down any grounds (like misbehavior or incapacity) or a specific procedure (like impeachment) for their removal.
- **Statement (d) is Incorrect:** In Union Territories with a legislative setup (like Delhi and Puducherry), the Chief Minister is appointed by the President, not the Lt. Governor. The Ministers hold office during the pleasure of the President.

Ministers, Ministries and Secretariat

1. Consider the following statements:

1. The Constitution of India classifies the ministers into four ranks viz. Cabinet Minister, Minister of State with Independent Charge, Minister of State and Deputy Minister.
2. The total number of ministers in the Union Government, including the Prime Minister, shall not exceed 15 percent of the total number of members in the Lok Sabha.

Which of the statements given above is/are correct?

- a) 1 only
- b) 2 only
- c) Both 1 and 2
- d) Neither 1 nor 2

Correct Answer: (b)

Explanation:

- **Statement 1 is Incorrect:** The Constitution of India does not classify ministers into ranks. The classification into Cabinet Ministers, Ministers of State, and Deputy Ministers is based on parliamentary convention and the Salaries and Allowances of Ministers Act, 1952. The Constitution only mentions the Council of Ministers (Articles 74 and 75).
- **Statement 2 is Correct:** According to the 91st Constitutional Amendment Act (2003), the total number of ministers, including the Prime Minister, in the Union Council of Ministers shall not exceed 15 percent of the total strength of the Lok Sabha (Article 75(1A)).
- **Article 74:** Deals with the status of the Council of Ministers. **Article 75:** Deals with the appointment, tenure, responsibility, qualification, oath, and salaries of the ministers. **Cabinet:** This term was inserted into Article 352 by the 44th Amendment Act (1978); it was not in the original text of the Constitution.

2. Consider the following statements regarding the evolution of administrative machinery in India:

1. The first Administrative Reforms Commission (1966) recommended that the Department of Personnel be placed under the Prime Minister's charge to ensure its authority was felt across all ministries.
2. The N. Gopalaswamy Ayyangar Committee (1949) recommended the grouping of ministries into four categories and the creation of an Organization and Methods (O&M) division within the Cabinet Secretariat.
3. The Department of Personnel and Training (DoPT) acts as the cadre controlling authority for both the Indian Administrative Service (IAS) and the Indian Police Service (IPS).

How many of the statements given above are correct?

- (a) Only one
- (b) Only two
- (c) All three
- (d) None

Correct Answer: (b)

Explanation:

- **Statement 1: Correct.** On the recommendation of the First ARC (1966), the Department of Personnel was constituted in 1970 and placed directly under the Prime Minister's charge. It was felt that personnel management should be centralized and led by the head of the government to maintain uniform standards.

- **Statement 2: Correct.** The Ayyangar Committee (1949) was a landmark in secretariat reorganization. It suggested the grouping of ministries (Bureaus) to improve coordination and the establishment of an O&M division (established in 1954) to analyze and improve office procedures.
- **Statement 3: Incorrect.** While the DoPT (under the Ministry of Personnel) is the cadre controlling authority for the IAS, it is not the authority for the IPS. The Ministry of Home Affairs (MHA) is the cadre controlling authority for the Indian Police Service (IPS), and the Ministry of Environment, Forest and Climate Change is the authority for the Indian Forest Service (IFoS).

3. With reference to the administrative machinery of a State in India, consider the following statements:

1. The office of the Chief Secretary was first created by Lord Hasting, and the incumbent serves as the ex-officio Chairman of the State Civil Services Board.
2. Unlike the Cabinet Secretary at the Union level, the Chief Secretary of a state exercises direct administrative control over all the departments of the State Secretariat.
3. The Chief Secretary of each state within a Zonal Council acts as the Secretary to that Council on a rotational basis for a period of two year.

How many of the statements given above are correct?

- (a) Only one
- (b) Only two
- (c) All three
- (d) None

Correct Answer: (a)

Explanation

- **Statement 1 is Incorrect:** The post of Chief Secretary was created by Lord Wellesley in 1799 for the then Supreme Government in India. In the modern context, the Chief Secretary is the head of the state's civil services and serves as the ex-officio Chairman of the State Civil Services Board, which oversees transfers and postings of IAS officers.
- **Statement 2 is Correct:** This is a key conceptual distinction. The Cabinet Secretary at the Union level is considered primus inter pares (first among equals) among secretaries and does not have direct administrative control over other Union Ministries. However, the Chief Secretary is the Secretary of Secretaries and the administrative head of the entire State Secretariat, exercising control over all departments.
- **Statement 3 is Incorrect:** According to the States Reorganisation Act, 1956, the Zonal Council consists of a Chairman (Union Home Minister), Vice-Chairmen (CMs of the states by rotation), and members. The Chief Secretary of each state in the zone acts as the Secretary to the Council by rotation for a period of one year.

4. Consider the following statements regarding the Union Executive and its functioning:

1. Under Article 77, all executive actions of the Government of India are formally expressed to be taken in the name of the President, who also makes rules for the more convenient transaction of business.
2. The Vice-President of India, while acting as President, continues to exercise the power of casting a vote in the Rajya Sabha in the event of an equality of votes on a bill.
3. The Cabinet Secretariat is under the direct charge of the Prime Minister, yet its administrative head is a civil servant who is the senior-most member of the Indian Administrative Service.

How many of the statements given above are correct?

- (a) Only one
- (b) Only two
- (c) All three

(d) None

Correct Answer: (b)

Explanation

- **Statement 1: Correct.** This is a verbatim requirement of Article 77. It is the President who signs the Rules of Business, although the Cabinet Secretariat administers them.
- **Statement 2: Incorrect.** Under Article 64, when the Vice-President acts as President, he does not perform the duties of the office of the Chairman of the Rajya Sabha. Since the power to cast a casting vote (Article 100) belongs to the Chairman/Speaker, the VP loses this power the moment he steps into the Presidential role. The Deputy Chairman would exercise that vote instead.
- **Statement 3: Correct.** The Cabinet Secretariat is a department of the Government of India under the Prime Minister's portfolio. Its administrative head is the Cabinet Secretary, who is the ex-officio head of the Civil Services Board and the senior-most IAS officer in the country.

5. Consider the following statements:

1. The council of Ministers in the center shall be collectively responsible to the Parliament
2. The Union Ministers shall hold the office during the pleasure of the president of India
3. The Prime Minister shall communicate to the president about the proposals for legislation

Which of the statements given above is/are correct?

- a) 1 only
- b) 2 and 3 only
- c) 1 and 3 only
- d) 1, 2 and 3

Correct Answer: (b)

Explanation

- **Statement 1 is Incorrect:** According to Article 75(3), the Council of Ministers is collectively responsible specifically to the Lok Sabha (the Lower House), not the Parliament as a whole. While the Parliament includes the Rajya Sabha and the President, the executive's survival depends solely on the confidence of the popularly elected House.
- **Statement 2 is Correct:** Under **Article 75(2)**, Union Ministers hold office during the pleasure of the President. This is a constitutional formality; in practice, the President exercises this pleasure only on the advice of the Prime Minister.
- **Statement 3 is Correct:** According to Article 78, it is the constitutional duty of the Prime Minister to communicate to the President all decisions of the Council of Ministers relating to the administration of the affairs of the Union and proposals for legislation.

6. Regarding the administrative framework of the Union Government, consider the following statements:

1. The Government of India (Allocation of Business) Rules, 1961 are framed by the President under Article 77 for the convenient transaction of government business.
2. The Cabinet Secretariat is responsible for ensuring that the President and Vice-President are kept informed of major ministerial decisions through monthly summaries.
3. The Cabinet Secretary, while being the senior-most civil servant, holds a fixed tenure of five years to ensure administrative continuity.

Which of the statements given above is/are correct?

- (a) 1 only
- (b) 1 and 2 only

- (c) 2 and 3 only
(d) 1, 2 and 3

Correct Answer: (b)

Explanation:

- **Statement 1: Correct.** Article 77(3) empowers the President to make these rules.
- **Statement 2: Correct.** This is a specific administrative function of the Secretariat to facilitate the President's right to information under Article 78.
- **Statement 3: Incorrect.** The Cabinet Secretary does not have a fixed 5-year tenure. The tenure is generally 2 years, which can be extended up to a maximum of 4 years (as per All India Services Rules).

7. To the Constitution of India, it is the duty of the President of India to cause to be laid before the Parliament which of the following?

1. The Recommendations of the Union Finance Commission
2. The Report of the Public Accounts Committee
3. The Report of the Comptroller and Auditor General
4. The Report of the National Commission for Scheduled Castes

Select the correct answer using the codes given below:

- a) 1 Only
b) 2 & 4 Only
c) 1, 3 & 4 Only
d) 1, 2, 3 & 4

Correct Answer: (c)

Explanation

The President acts as the constitutional conduit through which various reports of high-level bodies reach the Parliament. However, not all reports follow this path.

- **Statement 1 is Correct:** Under Article 281, the President is constitutionally mandated to cause the recommendations made by the Finance Commission to be laid before each House of Parliament, along with an explanatory memorandum on action taken.
- **Statement 2 is Incorrect:** The Public Accounts Committee (PAC) is a Parliamentary Committee. Its report is submitted directly to the Speaker of the Lok Sabha (or Chairman of the Rajya Sabha), not to the President. Therefore, the President is not involved in laying this report before Parliament.
- **Statement 3 is Correct:** Under Article 151, the reports of the Comptroller and Auditor General (CAG) relating to the accounts of the Union are submitted to the President, who then causes them to be laid before each House of Parliament.
- **Statement 4 is Correct:** Under Article 338(6), the National Commission for Scheduled Castes submits its annual report to the President, who is then duty-bound to cause it to be laid before each House of Parliament.

8. Consider the following statements regarding the specialized funds managed by the Union Government:

1. The PMNRF (National Relief Fund) is constituted entirely of voluntary contributions and does not receive any budgetary support, yet it has been granted the status of a Public Authority under the RTI Act by the Supreme Court.
2. The National Defence Fund (NDF) is an interest-bearing account kept with the RBI, intended for the promotion of national defence efforts, and is currently audited by the CAG.

3. Contributions to PM CARES are categorized as CSR (Corporate Social Responsibility) expenditure, and unlike the PMNRF, it has received a specific exemption from all provisions of the FCRA, 2010.

How many of the statements given above are correct?

- (a) Only one
- (b) Only two
- (c) All three
- (d) None

Correct Answer: (b)

- **Statement 1 is Incorrect:** While PMNRF is voluntary and receives no budget support, its status as a Public Authority under the RTI Act remains a matter of legal dispute (the Delhi High Court gave a split verdict, and the matter is not yet settled as Public Authority).
- **Statement 2 is Correct:** NDF is indeed kept with the RBI and is audited by the Comptroller and Auditor General (CAG).
- **Statement 3 is Correct:** PM CARES is eligible for CSR credit under the Companies Act and is exempt from FCRA regulations regarding foreign donations.

9. With reference to the Indian Parliamentary System, consider the following statements:

1. The principle of Collective Responsibility (Article 75) is a functional requirement where the Cabinet's united front is legally enforceable in a court of law.
2. Individual Responsibility ensures that the President can dismiss a Minister even if the Council of Ministers enjoys the confidence of the Lok Sabha, provided the Prime Minister advises such a dismissal.
3. In the event of a defeat of a Government Bill in the Rajya Sabha, the Council of Ministers is constitutionally obligated to resign to uphold the principle of collective responsibility.

Which of the statements given above is/are correct?

- (a) 2 only
- (b) 1 and 3 only
- (c) 1 and 2 only
- (d) 1, 2 and 3

Correct Answer: (a)

- **Statement 1 is Incorrect:** Collective responsibility is a political/parliamentary convention and a constitutional requirement (Art 75), but it is not legally enforceable in a court of law. No court can compel a minister to resign based on this principle.
- **Statement 2 is Correct:** This is the essence of Individual Responsibility. Ministers hold office during the pleasure of the President, but this pleasure is exercised only on the PM's advice.
- **Statement 3 is Incorrect:** The Council is responsible only to the Lok Sabha. A defeat in the Rajya Sabha does not require the government to resign.

10. Regarding the evolution and status of the PMO, consider the following statements:

1. The PMO was accorded the status of a Department of the Government of India under the Allocation of Business Rules, 1961, effectively placing it on the same legal footing as a Ministry.
2. The Principal Secretary to the PM is the administrative head of the PMO, whereas the Cabinet Secretary serves as the senior-most coordinator for inter-ministerial disputes.
3. The PMO is a statutory body created through the Prime Minister's Secretariat (Change of Name) Act, 1977.

How many of the statements given above are correct?

- (a) Only one
- (b) Only two

- (c) All three
- (d) None

Correct Answer: (b)

- **Statement 1 is Correct:** Under the 1961 Rules, the PMO is technically a Department.
- **Statement 2 is Correct:** This reflects the dual-track system: the Principal Secretary manages the PM's immediate office, while the Cabinet Secretary manages the broader bureaucracy.
- **Statement 3 is Incorrect:** The PMO is **neither constitutional nor statutory**. It was renamed by an executive order/notification in 1977, not an Act of Parliament.

Union and State Legislature

1. Consider the following statements regarding the Speaker of the Lok Sabha:

1. To ensure the independence of the office, the Speaker must formally resign from their political party upon election, as mandated by the Constitution.
2. A resolution for the removal of the Speaker requires a majority of all the then members of the House, rather than a simple majority of those present and voting.
3. The Speaker does not vacate their office upon the dissolution of the Lok Sabha but continues until the first meeting of the new House.

Which of the statements given above are correct?

- (a) 1 and 2 only
- (b) 2 and 3 only
- (c) 1 and 3 only
- (d) 1, 2, and 3

Correct Answer: (b)

Statement 1: Incorrect. While the 10th Schedule allows the Speaker to resign without being disqualified, the Constitution does not mandate it. In India, Speakers usually remain members of their party.

Statement 2: Correct. This refers to an Effective Majority (Total strength minus vacancies). **Statement 3: Correct.** Under Article 94, the Speaker is the only officer who does not lose their job the moment the House is dissolved.

2. With reference to the Tenth Schedule of the Constitution of India, consider the following statements:

1. The deciding authority for disqualification is the Presiding Officer of the House, and their decision is final and beyond judicial review.
2. The term 'Political Party' was absent from the original text of the Constitution and was first introduced via the 52nd Amendment Act.

Which of the statements given above is/are incorrect?

- a) 1 only
- b) 2 only
- c) Both 1 and 2
- d) Neither 1 nor 2

Correct Answer: (a)

Explanation:

Statement 1 Incorrect; the Kihoto Hollohan case (1992) established that the Speaker's decision is subject to judicial review.

Statement 2 is correct: The Constitution originally dealt with Members, not Parties. The term was legally injected only via the 52nd Amendment (1985).

3. Which of the following statements accurately reflects the constitutional procedure for a Money Bill?

1. The Speaker's decision on whether a bill is a Money Bill is final and cannot be questioned in a court of law.
2. If the Rajya Sabha does not return a Money Bill within 14 days, it is deemed to have been passed by both Houses in the form it was originally passed by the Lok Sabha.
3. The Rajya Sabha has the power to suggest amendments, but the Lok Sabha is under no legal obligation to accept them.

Select the correct answer using the code given below:

- (a) 1 and 2 only
- (b) 2 and 3 only
- (c) 1 and 3 only
- (d) 1, 2, and 3

Correct Answer: (d)

Explanation:

Statement 1: Correct. Under Article 110(3), the Speaker's certificate is the ultimate authority. It is a Procedural Safeguard to prevent the Rajya Sabha from blocking financial legislation.

Statement 2: Correct: This highlights the secondary role of the Rajya Sabha in money matters (Article 109).

Statement 3: Correct: This emphasizes the Asymmetric Power in Indian bicameralism regarding the purse.

4. With reference to the Ethics Committee of the Lok Sabha, consider the following statements:

1. The Committee was originally constituted as an ad-hoc committee before becoming a permanent standing committee.
2. A complaint against a member can only be filed by another member of the Lok Sabha.
3. The Committee is barred from investigating any matter that is currently sub-judice in a court of law.

Which of the statements given above are correct?

- (a) 1 and 2 only
- (b) 1 and 3 only
- (c) 2 and 3 only
- (d) 1, 2, and 3

Correct Answer: (b)

Explanation:

Statement 1: Correct: It became a permanent part of the Lok Sabha Rules only in 2015.

Statement 2: Incorrect: Any outsider can complain, but the procedure requires a Member to sponsor/route that complaint to the Speaker.

Statement 3: Correct: Parliamentary committees generally avoid parallel trials with the Judiciary to maintain the Separation of Powers.

5. While a resolution for the removal of the Speaker of the Lok Sabha is under consideration, which of the following applies?

1. He/She is barred from presiding over the sitting but has the right to be present and speak in the House.
2. He/She can vote in the first instance on the resolution but cannot vote in the case of an equality of votes.
3. He/She is not considered a Member of the House for the duration of the proceedings.

Select the correct answer using the code given below:

- (a) 1 only

- (b) 1 and 2 only
- (c) 2 and 3 only
- (d) 1, 2, and 3

Correct Answer: (b)

Explanation:

Statement 1 is Correct: Art 96, being under trial by the House removes authority to lead but not right as a representative to defend himself.

Statement 2 is Correct: Usually, the Speaker only votes in a tie (Casting Vote). But when their own removal is discussed, they vote like a normal member (First Instance) to ensure they have a say in their fate.

Statement 3 is Incorrect: He/She is a Member of the House for the duration of the proceedings

6. In the context of the dissolution of the Lok Sabha, which of the following scenarios would result in the lapsing of a Bill?

1. A Bill passed by the Rajya Sabha but still pending in the Lok Sabha.
2. A Bill passed by the Lok Sabha but still pending in the Rajya Sabha.
3. A Bill pending in the Rajya Sabha that has not yet been passed by the Lok Sabha.

Select the correct answer using the code given below:

- (a) 1 only
- (b) 1 and 2 only
- (c) 2 and 3 only
- (d) 1, 2, and 3

Correct Answer: (b)

Explanation:

According to Article 107:

- (3) A Bill pending in Parliament shall not lapse by reason of the prorogation of the Houses.
- (4) A Bill pending in the Council of States which has not been passed by the House of the People shall not lapse on a dissolution of the House of the People.
- (5) A Bill which is pending in the House of the People, or which having been passed by the House of the People is pending in the Council of States, shall, subject to the provisions of article 108, lapse on a dissolution of the House of the People.
- Further, according Article 108 (5) A joint sitting may be held under this article and a Bill passed thereat, notwithstanding that a dissolution of the House of the People has intervened since the President notified his intention to summon the Houses to meet therein.

7. Consider the following statements regarding the powers of the President of India:

1. The President can prorogue a House even while it is in session, although it is typically done after an adjournment sine die.
2. The dissolution of the Lok Sabha is a discretionary power of the President that does not require the advice of the Council of Ministers under any circumstances.
3. Prorogation terminates a session, whereas adjournment only terminates a sitting of the House.

Which of the statements given above are correct?

- (a) 1 and 2 only
- (b) 2 and 3 only
- (c) 1 and 3 only
- (d) 1, 2, and 3

Correct Answer: (c)

Explanation:

Statement 1 Correct: The President has the power to end a session at any time. Usually, they wait for the Presiding Officer to adjourn sine die.

Statement 2 Incorrect. The President usually acts on the advice of the CoM for dissolution, except when the CoM has lost its majority and no alternative government is feasible.

Statement 3 Correct. Termination of a session of the House by an Order by the President under the constitutional provision is called 'prorogation'. Prorogation normally follows the adjournment of the sitting of the House sine die.

8. With reference to Finance Bill (Category I) and Money Bill, consider the following statements:

1. Both Bills require the prior recommendation of the President for introduction.
2. Both Bills can be introduced only in the Lok Sabha.
3. While a joint sitting is not permissible for a Money Bill, it is a valid mechanism to resolve a deadlock over a Finance Bill (I).

Which of the statements given above are correct?

- (a) 1 and 2 only
- (b) 2 and 3 only
- (c) 1 and 3 only
- (d) 1, 2, and 3

Correct Answer: (d)

Explanation:

Statement 1 & 2: Correct. Both are treated like Money Bills for introduction purposes to ensure the Executive controls the start of fiscal policy.

Statement 3: Correct. Finance Bill (I) is a hybrid—it starts like a Money Bill but is treated like an Ordinary Bill for passage, allowing the two Houses to sit together if they disagree. Finance Bill (I) contains matters of Art 110 but also other matters of general legislation, thus allowing a joint sitting.

9. Which of the following is/are the exclusive power(s) of the Lok Sabha?

1. To pass a resolution for the discontinuance of a National Emergency.
2. To initiate the procedure for the impeachment of the President of India.
3. To pass a motion of no-confidence against the Council of Ministers.

Select the correct answer using the code given below:

- (a) 3 only
- (b) 1 and 3 only
- (c) 2 and 3 only
- (d) 1, 2, and 3

Correct Answer: (b)

Explanation:

Statement 1: Correct. While approving an Emergency requires both Houses, stopping it (Art 352) only requires a simple majority in the Lok Sabha.

Statement 2: Incorrect. Impeachment is a quasi-judicial power where both Houses have equal standing (Article 61).

Statement 3: Correct. The Lok Sabha holds the exclusive power to pass a no-confidence motion against the Council of Ministers, as they are collectively responsible only to this House under Article 75(3) of the Indian Constitution.

10. With reference to the Deputy Speaker of the Lok Sabha, consider the following statements:

1. The date of the election of the Deputy Speaker is fixed by the President of India.
2. When the Deputy Speaker presides over the House, they can exercise a casting vote in the case of a tie, just like the Speaker.
3. There is a constitutional mandate that the Deputy Speaker must be elected from the largest opposition party.

Which of the statements given above is/are correct?

- (a) 1 and 2 only
- (b) 2 only
- (c) 1 and 3 only
- (d) 3 only

Correct Answer: (b)

Explanation:

Statement 1: Incorrect: The President fixes the Speaker's election date, but the Speaker fixes the Deputy Speaker's election date.

Statement 2: Correct: There is no appeal to the Speaker against a Deputy Speaker's ruling; they are the House while in the Chair.

Statement 3: Incorrect: it is a parliamentary convention (since the 11th LS), not a constitutional mandate.

Cabinet Committees and Parliament

1. Consider the following statements regarding Cabinet Committees:

1. They are extra-constitutional bodies established under the Government of India (Transaction of Business) Rules, 1961.
2. While the Prime Minister sets them up according to the exigencies of the time, their nomenclature and number remain constant across different governments.
3. Ad hoc committees are constituted for special purposes and are disbanded after their task is completed, whereas Standing Committees are permanent in nature.

How many of the statements given above are correct?

- (a) Only one
- (b) Only two
- (c) All three
- (d) None

Correct Answer: (b)

Explanation:

Statement 1 is Correct: They are not mentioned in the Constitution but are created under the Transaction of Business Rules, 1961.

● **Statement 2 is Incorrect:** The PM sets them up, but the number, nomenclature, and composition vary from one government to another depending on the requirement.

● **Statement 3 is Correct:** This is the standard definition of Standing (permanent) vs. Ad hoc (temporary) committees.

2. With reference to Cabinet Committees in Indian polity, consider the following statements:

1. All the Cabinet Committees are chaired by the Prime Minister.
2. Currently, there are twenty-four Cabinet Committees functioning in India.

3. No Cabinet Committee can take any binding decisions on any ministries/ departments without the approval of the full Cabinet.

How many of the statements given above are correct?

- (a) Only one
- (b) Only two
- (c) All three
- (d) None

Explanation:

Statement 1 is incorrect: Most (not all) of the Cabinet Committees are chaired by the Prime Minister. Especially those cabinet committees of which PM is a part, he/she is the chairman by default. However, other important Ministers like those of Finance or Home are also chairman of some important Cabinet Committees, for example the cabinet committee on Parliamentary Affairs is chaired by the Home Minister.

Statement 2 is incorrect: As of 2022, there are eight Cabinet committees functioning namely:

- Appointments Committee of the Cabinet
- Cabinet Committee on Accommodation
- Cabinet Committee on Economic Affairs
- Cabinet Committee on Parliamentary Affairs
- Cabinet Committee on Political Affairs
- Cabinet Committee on Security
- Cabinet Committee on Investment and Growth
- Cabinet Committee on Employment and Skill Development

Statement 3 is incorrect: Cabinet committee is a group of ministers which can take collective decisions that are binding across various ministries/departments. Cabinet Committees do make recommendations for the Cabinet to act upon, however, some of the Cabinet committees are also empowered to take decisions on their own. The decisions of Cabinet Committee on Political Affairs or the Cabinet Committee on Economic Affairs is quite final and does not need the approval of the full Cabinet.

3. Which of the following matters does the Rajya Sabha have equal powers with the Lok Sabha?

- 1. Constitutional Amendment Bills.
- 2. Election of President.
- 3. Removing Union Ministers.
- 4. Approving Proclamation of Emergencies.

Select the correct answer using the code given below:

- (a) 1, 2, and 4
- (b) 1, 3, and 4
- (c) 2 and 3 only
- (d) 1 and 2 only

Correct Answer: (a)

Explanation:

• **Statement 1, 2, 4 are Correct:** In amending the Constitution, electing the President, and approving emergencies, both houses have equal power.

- **Statement 3 is Incorrect:** Ministers are collectively responsible only to the Lok Sabha (Art 75). Rajya Sabha cannot remove them via a No-Confidence Motion.

4. With reference to the Members of Parliament Local Area Development Scheme (MPLADS), consider the following statements:

1. MPLADS funds are non-lapsable, meaning funds not released in a particular year are carried forward to the next.
2. At least 15% of the annual entitlement must be used for areas inhabited by SC population and 7.5% for ST population.
3. The District Authority must inspect at least 10% of the works under implementation every year.

Which of the statements given above are correct?

- (a) 1 and 2 only
- (b) 2 and 3 only
- (c) 1 and 3 only
- (d) 1, 2, and 3

Correct Answer: (d)

Explanation: All statements are factual requirements of the MPLADS guidelines. The scheme is currently under the Ministry of Statistics and Programme Implementation (MoSPI).

- **Non-lapsable Nature:** MPLADS funds are uniquely categorized as non-lapsable at both the Central Government and District Authority levels. This means that any unspent balance or funds not released in a particular financial year do not expire; instead, they are carried forward to subsequent years for utilization.
- **SC/ST Population Allocation:** To ensure inclusive development, the scheme mandates that Members of Parliament (MPs) recommend works costing at least 15% of their annual entitlement for areas inhabited by Scheduled Castes (SC) and 7.5% for areas inhabited by Scheduled Tribes (ST).
- **Mandatory Inspection:** For effective monitoring and accountability, the District Authority (typically the District Collector or Magistrate) is responsible for inspecting at least 10% of the works under implementation every year.

5. Consider the following statements:

1. The Parliament (Prevention of Disqualification) Act, 1959 exempts several posts from disqualification on the grounds of Office of Profit.
2. The above-mentioned Act has been amended five times since its inception.
3. The term Office of Profit is explicitly defined under Article 102 of the Constitution of India.

Which of the statements given above are correct?

- (a) 1 and 2 only
- (b) 2 and 3 only
- (c) 1 and 3 only
- (d) 1, 2, and 3

Correct Answer: (a)

Explanation:

- **Statement 1: Correct.** The Parliament (Prevention of Disqualification) Act, 1959 specifies certain offices that, even if they are under the government, do not disqualify their holders from being Members of Parliament. It includes roles like Ministers, Leaders of Opposition, and Chairpersons of certain Commissions.
- **Statement 2: Correct.** Since its inception in 1959, the Act has been amended five times (specifically in 1960, 1992, 1993, 2006, and 2013) to expand or modify the list of exempted offices.
- **Statement 3 is Incorrect:** The Constitution mentions Office of Profit as a disqualification (Art 102 for MP, Art 191 for MLA) but does not define the term. Definitions have evolved through judicial interpretations.

6. With reference to the Legislative Council of a State in India, consider the following statements:

1. While the maximum strength of the Council is fixed by the Constitution at one-third of the total strength of the Assembly, its specific actual strength is determined by the Parliament.
2. The Chairman of the Legislative Council is elected by the members of the Council from amongst themselves, yet the Governor possesses the power to remove the Chairman on the grounds of proven misbehavior.
3. In the event of a deadlock between the two Houses over an ordinary bill, the Legislative Council can delay the bill for a maximum period of four months, after which the will of the Assembly prevails.

How many of the statements given above are correct?

- (a) Only one
- (b) Only two
- (c) All three
- (d) None

Correct Answer: (b)

Explanation

- **Statement 1 is Correct:** Article 171 specifies the limit (maximum 1/3rd of the Assembly, minimum 40). However, the actual strength of a specific states Council is laid down by an Act of Parliament (e.g., the Legislative Councils Act).
- **Statement 2 is Incorrect:** While the Chairman is indeed elected by the members (not nominated by the Governor), the removal process is also internal. The Chairman is removed by a resolution passed by a majority of all the then members of the Council. The Governor has no role in the removal of the Chairman.
- **Statement 3 is Correct:** This highlights the weak nature of the Council compared to the Rajya Sabha. The Council can delay a bill for 3 months in the first instance and 1 month in the second instance (Total 4 months). There is no provision for a joint sitting at the state level; if the Assembly passes the bill again, it is deemed passed.

7. With reference to the Legislative Assembly of a State in India, consider the following statements:

1. The Governor makes a mandatory customary address to Members of the House at the commencement of the first session after each general election and the first session of every year.
2. In the absence of a specific rule on a matter, the State Legislature is constitutionally bound to follow the Rules of Procedure of the Lok Sabha.

Which of the statements given above is/are correct?

- (a) 1 only
- (b) 2 only
- (c) Both 1 and 2
- (d) Neither 1 nor 2

Correct Answer: (a)

Explanation:

- **Statement 1 is Correct:** This is analogous to the Presidents address to Parliament (Art 176).
- **Statement 2 is Incorrect:** Each house of the legislature has the power to make its own rules (Art 208). While they often model them on Lok Sabha rules, there is no constitutional mandate to follow them in case of a vacuum.

8. In India, which of the following bodies/mechanisms review the functioning of independent regulators like PFRDA, IBBI, AERA, and PNGRB?

1. Ad Hoc Committees appointed by the Parliament.

2. Parliamentary Standing Committees.
3. NITI Aayog.
4. Financial Sector Legislative Reforms Commission (FSLRC).
5. Finance Commission.

Select the correct answer using the code given below:

- (a) 1 and 2 only
- (b) 1, 3, and 4
- (c) 2, 4, and 5
- (d) 2 only

Correct Answer: (a)

Explanation: Statutory regulators are primarily reviewed by the Parliament through its Standing Committees and occasionally by Ad Hoc Committees. NITI Aayog is a policy think tank, and the Finance Commission deals with tax revenue distribution.

Key Independent Regulators in India:

- **Finance & Markets:** Reserve Bank of India (RBI) (Banking), Securities and Exchange Board of India (SEBI) (Capital Markets), Insurance Regulatory and Development Authority of India (IRDAI) (Insurance), Pension Fund Regulatory and Development Authority (PFRDA) (Pension), Insolvency and Bankruptcy Board of India (IBBI).
- **Infrastructure & Utilities:** Telecom Regulatory Authority of India (TRAI) (Telecom), Central Electricity Regulatory Commission (CERC) (Electricity), Airports Economic Regulatory Authority of India (AERA), Petroleum & Natural Gas Regulatory Board (PNGRB).
- **General Regulation:** Competition Commission of India (CCI) (Monopolies), Food Safety and Standards Authority of India (FSSAI) (Food Safety), Directorate General of Civil Aviation (DGCA) (Aviation).

9. Regarding a Money Bill, which of the following statements is NOT correct?

- (a) A Money Bill can be introduced only in the Lok Sabha and not in the Rajya Sabha.
- (b) The Rajya Sabha can neither reject nor amend a Money Bill; it can only make recommendations.
- (c) If any question arises whether a Bill is a Money Bill or not, the decision of the President of India is final.
- (d) A Money Bill is deemed to have been passed by both Houses if the Rajya Sabha does not return it within 14 days.

Correct Answer: (c)

Explanation:

The decision of the Speaker of the Lok Sabha is final, not the President.

10. Consider the following statements:

1. In the first Lok Sabha, the single largest party in the opposition was the Communist Party of India (CPI).
2. The Leader of the Opposition in the Lok Sabha received statutory recognition for the first time in 1977.
3. To be recognized as the Leader of the Opposition, a party must have at least one-tenth (10%) of the total strength of the House.

Which of the statements given above are correct?

- (a) 1 and 2 only
- (b) 2 and 3 only
- (c) 1 and 3 only
- (d) 1, 2, and 3

Correct Answer: (d)

Explanation:

- **Statement 1 is Correct:** CPI was the largest opposition party in 1952.
- **Statement 2 is Correct:** While a leader was recognized in 1969, the **statutory** recognition (salary and allowances act) came in 1977.
- **Statement 3 is Correct:** The 10% rule (55 members in Lok Sabha) is the numerical requirement for recognition. (UPSC 2018 PYQ theme).

